

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

USA,  
Plaintiff,  
v.  
ELIZABETH A. HOLMES and  
RAMESH "SUNNY" BALWANI,  
Defendants.

Case No. 5:18-cr-00258-EJD-1

## **ORDER RE PRODUCTION OF DOCUMENTS BY FDA AND CMS**

ELIZABETH A. HOLMES and  
RAMESH "SUNNY" BALWANI,  
Defendants.

On October 2, 2019, the Court held a hearing regarding Defendants' Motion to Compel the Production of Rule 16 and *Brady* Materials. Dkt. Nos. 67, 68. Based on the Court's discussion with the Parties, the Court rules as follows:

1. All Parties shall meet and confer on a pre-trial schedule that does not disturb the current trial date;
  2. All Parties shall meet and confer with FDA and CMS regarding Defendants' concerns with the Agencies' productions;
  3. FDA and CMS shall complete their production of documents, as discussed in the Court's order of July 19, 2019, no later than October 25, 2019;
  4. No later than October 31, 2019, the Parties shall file with the Court a joint status report providing the Court with an update on the status of FDA and CMS's productions and the Parties' proposed pre-trial schedule;
  5. The hearing on Defendants' Motion is continued to November 4, 2019 at 10:00 a.m.

**IT IS SO ORDERED.**

Dated: October 2, 2019

**EDWARD J. DAVILA**  
United States District Judge

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